

Message Text

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70

ACTION L-02

INFO OCT-01 ARA-10 EUR-12 ISO-00 JUSE-00 SCA-01 DEAE-00

SNM-02 RSC-01 /029 W

----- 093832

R 051849Z DEC 74

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 4878

INFO AMCONSUL MARTINIQUE

UNCLAS PARIS 29223

E.O. 11652: N/A

TAGS: CGEN, PFOR, SNAR, CPRS, MB

SUBJECT: EXTRADITION - BETTANCOURT, NEWBALL, GOMEZ

REF: STATE 266419

MARTINIQUE 426

1. WE QUERIED DOMPAGNAC-LATOURE (MFA) ON INTERPRETATION OF BEGINNING AND ENDING DATE OF 40-DAY PERIOD IN WHICH DOCUMENTS SUPPORTING EXTRADITION REQUEST MUST BE PRESENTED. DOMPAGNAC-LATOURE STATED THAT IN FRENCH VIEW, 40-DAY PERIOD STARTS ON DAY OF PROVISIONAL ARREST FOLLOWING APPLICATION FOR ARREST AND DETENTION UNDER EXTRADITION CONVENTION (ART. IV). HE DOES NOT CONSIDER THAT THE FACT THAT SUBJECTS WERE TECHNICALLY ARRESTED ON FRENCH CHARGES ALTERS THE FACT THAT UNDER CONVENTION DOCUMENTS MUST BE PRESENTED WITHIN 40 DAYS.

2. DOMPAGNAC-LATOURE SAID THAT FORMAL REQUEST FOR EXTRADITION WITH SUPPORTING DOCUMENTS MUST BE PRESENTED BY EMBASSY TO MFA. HE STATED CATEGORICALLY THAT PRESENTATION OF DOCUMENTS TO MFA WITHIN 40 DAYS OF ARREST COMPLIES WITH REQUIREMENTS OF CONVENTION. THE TIME REQUIRED TO TRANSMIT THESE DOCUMENTS TO MARTINIQUE FOR PRESENTATION TO CHAMBRE D'ACCUSATION IS NOT REPEAT NOT A FACTOR IN CONSIDERING 40-DAY LIMIT.

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3. FOREGOING IS ENTIRELY CONSISTENT WITHOUT UNDER-

STANDING OF CONVENTION AND WITH FRENCH PRACTICE IN
EXTRADITION CASES HANDLED HERE OVER A NUMBER OF YEARS.
FRENCH AUTHORITIES HAVE BEEN KNOWN TO ALLOW US A FEW
DAYS GRACE IN MEETING 40-DAY PERIOD, BUT IT SEEMS CLEAR
THEY HAVE NO OBLIGATION UNDER CONVENTION TO DO SO.
THEREFORE, DESPITE CONTRADICTIONS REFLECTED MARTINIQUE
426, BELIEVE WE MUST MEET 40-DAY LIMIT COUNTING FROM
NOVEMBER 18 - I.E. DECEMBER 27 - OR RUN RISK THAT
SUBJECTS WILL BE RELEASED.
RUSH

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION
Control Number: n/a
Copy: SINGLE
Draft Date: 05 DEC 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974PARIS29223
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740353-0889
From: PARIS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741258/aaaabxfq.tel
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Office: ACTION L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Previous Handling Restrictions: n/a
Reference: STATE 266419
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Review Markings:

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30 JUN 2005

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To: STATE
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